

### III. REMARKS

Claims 1-29 are pending in this application. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-5, 8, 10-20 and 23-27 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Smith, Jr. (U.S. Patent No. 5,754,755), hereafter "Smith, Jr." Claims 6, 7, 9, 21, 22, 28 and 29 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Smith, Jr.

#### A. REJECTION OF CLAIMS 1-5, 8, 10-20 and 23-27 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Smith, Jr., Applicant asserts that Smith, Jr. does not teach each and every feature of the claimed invention. For example, with respect to claims 1, 10, 16, 17, 23 and 24, Applicant submits that Smith, Jr. fails to teach a table having test data for the software product. Instead, the output file generator in Smith, Jr. "...receives an ordered list of customizing files that have application-specific placeholder values." Col. 2, lines 32-34. However, as shown in FIG. 2, the ordered list of customizing files in Smith, Jr. is not a table, but merely a set of program instructions that indicate the order in which the files are to be searched, with each instruction having the command "#INCLUDE" and a file name. Col. 5, lines 6-13; FIG. 2, reference numbers 202-204. Furthermore, the data in

Smith, Jr. is not actually included in the ordered list, but is instead in separate customizing files that are also not arranged in tabular format. Col. 5, line 66 through col. 6, line 24; FIGS. 3-5. Nowhere does Smith, Jr. teach a table having test data for the software product. In contrast, the present invention includes "...a table having test data for the software product." Claim 1. As such, the test data for the software product as included in the claimed invention is not merely a list of program instructions having the command "#INCLUDE" and a file name, but is rather in a table. Thus, the ordered list of customizing files in Smith, Jr. is not equivalent to the table having test data as included in the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With respect to claims 5, 14, 18 and 25, Applicant respectfully submits that Smith, Jr. also fails to teach that the test data is arranged into at least one row of potential test cases that each include an actor, a starting point, and a test step. As stated above, Smith, Jr. does not teach a table having test data for the software product, but instead teaches an ordered list of customizing files. Col. 2, lines 32-34; col. 5, lines 6-13. As such the ordered list of Smith, Jr. does not have at least one row of potential test cases. Furthermore, Smith, Jr. does not teach that each test case includes an actor, a starting point, and a test step. The present invention, in contrast, includes "...the test data is arranged into at least one row of potential test cases that each include an actor, a starting point, and a test step." Claim 5. As such, the test data as included in the claimed invention, rather than being an ordered list of customizing files as in Smith, Jr., has at least one row of potential test cases. Furthermore, each row of potential test cases as included in the claimed invention includes an actor, a starting point, and a test step. For the above reasons, the test data as included in the claimed invention is not equivalent to the

ordered list of customizing files of Smith, Jr. Accordingly, Applicant requests that the rejection be withdrawn.

With respect to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

#### **B. REJECTION OF CLAIMS 6, 7, 9, 21, 22, 28 and 29 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejection over Smith, Jr., Applicant asserts that the combined references cited by the Office fail to teach or suggest each and every feature of the claimed invention. For example, with respect to claims 6 and 21, Applicant respectfully submits that the combined references fail to teach or suggest "...the test script file is an executable file that is automatically run by an automation tool." The Office admits that Smith, Jr. does not explicitly disclose automatically running the test script with an automation tool. Instead, the Office states that it would have been obvious to one of ordinary skill at the time of the invention to include the automatic testing due to the importance of thorough testing. However, this factual assertion is unsubstantiated and is not properly based upon common knowledge. Furthermore, the test script generated by Smith, Jr., instead of automatically running with an automation tool, appears to be written in a macro language that is capable of running independently of an automation tool. FIG. 2. For the above stated reasons, Applicant asserts that a test script file that is an executable file that is automatically run by an automation tool is not obvious to one skilled

in the art as asserted by the Office. Accordingly, Applicant respectfully requests that the Office withdraw the rejection or support the finding with references that show these features.

With respect to claims 7 and 22, Applicant respectfully submits that the combined references fail to teach or suggest "...the test script file is a documentation file that is manually run by a user." The Office admits that Smith, Jr. does not explicitly disclose automatically running the test script manually by a user. Instead, the Office takes Official Notice that in the art of software testing it is well known to use a stepping procedure performed manually by a user to step through a program in order to debug a program. However, this factual assertion is unsubstantiated and is not properly based upon common knowledge. Furthermore, the test script generated by Smith, Jr., instead of being a documentation file that is manually run by a user, appears to be written in a macro language that is capable of running independently of a user.

FIG. 2. For the above stated reasons, Applicant asserts that a test script file that is a documentation file that is manually run by a user is not obvious to one skilled in the art as asserted by the Office. Accordingly, Applicant respectfully requests that the Office withdraw the rejection or support the finding with references that show these features.

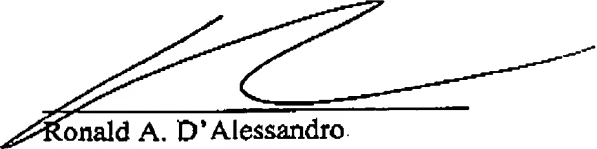
With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

#### IV. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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Ronald A. D'Alessandro  
Reg. No.: 42,456

Hoffman, Warnick & D'Alessandro LLC  
Three E-Comm Square  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)